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Attorney for Defendant  
LUIS ANTONIO ORTIZ-MENJIVAR

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA, ) 2:17-CR-00311-JCM-GWF

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Plaintiff,

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## STIPULATION AND ORDER FOR COMPETENCY EVALUATION

LUIS ANTONIO ORTIZ-MENJIVAR.

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**Defendant.**

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Defendant. )  
\_\_\_\_\_) )

IT IS HEREBY STIPULATED by and between LUIS ANTONIO ORTIZ-MENJIVAR, Defendant, by and through his counsel OSVALDO E. FUMO, ESQ, and the United States of America, KIMBERLY FRAYN, Assistant United States Attorney, that Defendant be assessed a Competency Evaluation.

This Stipulation is entered into for the following reasons:

1. Counsel has spoken to the Defendant and he has no objection to a competency evaluation to see if he is fit to stand trial.
  2. Counsel and Assistant United States Attorney Kimberly Frayn has agreed that Defendant be sent for a competency evaluation.

3. Denial for this request for continuance would deny the parties herein time and the opportunity within which to effectively and thoroughly research and prepare for trial in this case, taking into account the exercise of due diligence.
4. Additionally, denial of this request for continuance would result in a miscarriage of justice.

DATED this 31st day of July, 2018.

PITARO & FUMO, CHTD.

UNITED STATES ATTORNEY

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OSVALDO E. FUMO, ESQ.  
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LAS VEGAS, NEVADA 89101  
ATTORNEY FOR DEFENDANT

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LAS VEGAS, NEVADA 89101

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2           UNITED STATES DISTRICT COURT  
3           DISTRICT OF NEVADA  
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**ORDER**

This matter having come before the court on July 31, 2018 and the court being fully advised in the premises hereby enters the following:

**IT IS ORDERED** that Defendant LUIS ANTONIO ORTIZ-MENJIVAR complete a Competency Evaluation.

**IT IS HEREBY ORDERED** that the Nevada Southern Detention Center transport Defendant LUIS ANTONIO ORTIZ-MENJIVAR to the Bureau of Prison Facility for a Competency Evaluation.

DATED August 3, 2018.

*Xenia C. Mahan*  
U.S. DISTRICT JUDGE